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MEMORANDUM



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ARIZONA CORPORATION COMMISSION  
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TO: Docket Control

FROM: Steven M. Olea  
Director  
Utilities Division

DATE: July 21, 2010

RE: IN THE MATTER OF THE APPLICATION OF JLS MARKETING DBA  
JLS FOR APPROVAL TO CANCEL THEIR CERTIFICATE OF  
CONVENIENCE AND NECESSITY FOR RESOLD LONG DISTANCE  
TELECOMMUNICATIONS SERVICES (DOCKET NO. T-04140A-08-  
0435)

Attached is the Staff Report for the above referenced Application. The Applicant is applying for approval to cancel its Certificate of Convenience and Necessity ("CC&N") to provide resold long distance telecommunications services.

Staff recommends cancellation of the CC&N held by JLS Marketing d/b/a JLS.

SMO:JFB:red

Originator: John F. Bostwick

Attachment: Original and Thirteen Copies

Arizona Corporation Commission

DOCKETED

JUL 21 2010

DOCKETED BY	
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SERVICE LIST FOR: JLS MARKETING DBA JLS  
DOCKET NO. T-04140A-08-0435

Ms. Susan Sampley  
JLS Marketing  
2024 N.125<sup>th</sup> Avenue  
Avondale, Arizona 85323

STAFF REPORT  
UTILITIES DIVISION  
ARIZONA CORPORATION COMMISSION

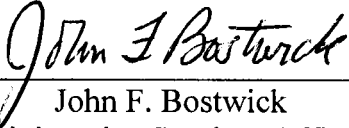
JLS MARKETING DBA JLS  
DOCKET NO. T-04140A-08-0435

IN THE MATTER OF THE APPLICATION OF JLS MARKETING DBA JLS FOR  
APPROVAL TO CANCEL THEIR CERTIFICATE OF CONVENIENCE AND  
NECESSITY FOR RESOLD LONG DISTANCE  
TELECOMMUNICATIONS SERVICES

JULY 21, 2009

## STAFF ACKNOWLEDGMENT

The Staff Report for JLS Marketing dba JLS Docket No. T-04140A-08-0435 was the responsibility of the Staff member listed below. John F. Bostwick was responsible for the review and analysis of JLS Marketing dba JLS' Application to cancel its Certificate of Convenience and Necessity.

  
\_\_\_\_\_  
John F. Bostwick  
Administrative Services Officer II

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## **INTRODUCTION**

On August 20, 2008, JLS Marketing dba JLS ("JLS" or "Company") submitted an Application to cancel its Certificate of Convenience and Necessity ("CC&N") to provide resold long distance telecommunications services within the State of Arizona. The Application was not complete and Staff sent its First Set of Data Requests to Susan Sampley, part owner of JLS, on June 23, 2009. Joseph Sampley, part owner of JLS, sent an e-mail response to Staff's First Set of Data Requests on September 29, 2009.

## **BACKGROUND**

In Decision No. 65988, the Commission granted JLS a CC&N to provide resold long distance telecommunications services within the State of Arizona on June 17, 2003. JLS was not permitted to collect advances, prepayments or deposits from customers. JLS was not required to obtain a performance bond.

## **STAFF'S ANALYSIS**

In its August 20, 2008 Application, JLS stated that it is unable to provide resold long distance telecommunications services and stay in business. In addition, JLS stated that it is not providing telecommunications services to customers and never had service contracts with its customers. JLS further stated that it has no affiliates in Arizona.

In its September 29, 2009 e-mail reply to Staff's First Set of Data Requests, JLS stated that it did not provide service to residential customers and that it provided telecommunications services only in Maricopa County. JLS also indicated that it did not collect advance payments, deposits, and/or prepayments from its customers. As a result, JLS did not need to file a plan to refund collected deposits.

Staff confirmed that JLS filed its Arizona Corporation Commission Utilities Division Confidential Annual Report for the years ending December 31, 2003 and December 31, 2004. JLS did not file an annual report with the Commission for the years ending 2005, 2006, 2007, and 2008.

JLS stated that it discontinued service to its last business customer on September 1, 2005. JLS' last business customer was transferred to Electric Lightwave, Inc. ("ELI") to obtain competitive rates. Besides the customer that JLS transferred to ELI, two of JLS' business customers went out of business and its remaining two JLS' business customers went to other carriers.

Almost three years after JLS stopped servicing its last customer, JLS filed its request to cancel its CC&N in August 2008. JLS does not need to comply with the requirements of A.A.C. R14-02-1107 because JLS does not any have any customers in Arizona.

In its e-mail response to Staff of September 29, 2009, JLS indicated that it does have employees and facilities in Arizona. Mr. Sampley indicated that JLS will continue to operate as a consulting firm but will not be providing resold long distance telecommunications services.

The Consumer Services Section of the Utilities Division reports that there have been no complaints, inquiries, or opinions against JLS from January 1, 2005 through October 2, 2009. In addition, Consumer Services states that JLS is in good standing with the Corporations Division of the Commission.

Since JLS does not have any customers and there are other carriers that offer similar services, JLS' request to cancel its CC&N to provide resold long distance telecommunications services should be approved by the Commission.

#### **RECOMMENDATIONS**

Since JLS stopped serving customers in September 2005, Staff recommends approval of JLS' Application to cancel its CC&N. Upon cancellation of its CC&N, JLS will no longer be authorized to provide resold long distance telecommunications services in Arizona and therefore, will no longer be subject to the requirements of Decision No. 65988.